

**COPY**

TC60029

**STATE OF ILLINOIS  
ILLINOIS COMMERCE COMMISSION  
STIPULATED AGREEMENT NO. 1144**

This Agreement made and entered into, by and between the State of Illinois acting by and through the Illinois Commerce Commission ("Commission"), the Norfolk Southern Railway Company ("Company" or "NS"), the City of Springfield, ("City"), the Village of Grandview ("Village"), and the State of Illinois, Department of Transportation ("Department" or "IDOT").

**WITNESSETH:**

WHEREAS, it has come to the attention of the Commission through correspondence that inquiry should be made into the matter of improving public safety at the Wolfe Street highway-rail grade crossing of the Company's track located in the Village of Grandview, designated as crossing AAR/DOT #479 307M, railroad milepost 412.12-WC; and the 19<sup>th</sup> Street, North Grand Avenue, 13<sup>th</sup>/Reservoir Streets, 11<sup>th</sup>/Division Streets, Enterprise Street, Enos Avenue, Miller Street, Carpenter Street, Reynolds Street, Jefferson Street, Washington Street, Adams Street, Monroe Street, Capitol Avenue, and Jackson Street highway-rail grade crossings of the Company's track located in the City of Springfield, Sangamon County, Illinois, designated as crossings AAR/DOT #479 309B, railroad milepost 412.75-WC, AAR/DOT #479 313R, railroad milepost 413.04-WC, AAR/DOT #479 312J, railroad milepost 413.22-WC, AAR/DOT #479 319G, railroad milepost 413.38-WC, AAR/DOT #479 320B, railroad milepost 413.48-WC, AAR/DOT #479 322P, railroad milepost 413.69-WC, AAR/DOT #479 323W, railroad milepost 413.77-WC, AAR/DOT #479 324D, railroad milepost 413.85-WC, AAR/DOT #479 325K, railroad milepost 413.93-WC, AAR/DOT #479 328F, railroad milepost 414.20-WC, AAR/DOT #479 329M, railroad milepost 414.24-WC, AAR/DOT #479 330GM, railroad milepost 414.32-WC, AAR/DOT #479 331N, railroad milepost 414.39-WC, AAR/DOT #479 332V, railroad milepost 414.47-WC, and AAR/DOT #479 334J, railroad milepost 414.55-WC, respectively;

WHEREAS, proper investigation has been made of the circumstances surrounding the subject crossing by a representative of the Commission's Transportation Division Railroad Section; and

WHEREAS, the physical aspects, including geometrics of the intersection, train movements, vehicular traffic volume, and sight distances and other pertinent data relating to the crossing have been obtained and shown on Exhibits A-1 through A-18, attached to this Agreement; and

WHEREAS, the parties are mutually agreeable to accomplish proposed improvements to the crossing upon determination of the Commission by Order.

NOW, THEREFORE in consideration of the premises and of the mutual covenants and agreements as hereinafter contained the parties pray that the Commission enter an Order according to the provisions of Section 18c-7401 of the Illinois Commercial Transportation Law, 625 ILCS 5/18(c)-7401, requiring that certain improvements as hereinafter stated be made and that the cost for the proposed improvements be divided among the parties according to law and that in the interest of the traveling public the Grade Crossing Protection Fund ("GCPF") of the Motor Fuel Tax Law ("MFT") be required to bear a

substantial portion of the cost; To Wit the parties agree as follows:

Section 1 All improvements encompassed by this Agreement shall be made in accordance with all applicable State laws, rules, standards, regulations and orders and procedures in general.

Section 2 The parties are of the opinion that the following improvements in the interest of public safety at the aforesaid crossings should be as follows:

**Wolfe Street (AAR/DOT #479 307M)**

- (a) Installation of new automatic flashing light signals and gates with a bell, controlled by constant warning time circuitry, and equipped with an event recorder and a remote monitoring system in lieu of the existing automatic flashing light signals, by the Company.
- (b) Installation of a new railroad advance warning sign on the south highway approach to the crossing, in compliance with requirements of 92 Ill. Adm. Code 1535.310, by the Village.

**19<sup>th</sup> Street (AAR/DOT #479 309B)**

- (a) Upgrade the existing control circuitry, by the Company.
- (b) Installation of a new railroad advance warning sign on the south highway approach and installation of pavement markings on the north and south highway approaches to the crossing, in compliance with requirements of 92 Ill. Adm. Code 1535.310, by the City.

**North Grand Avenue (AAR/DOT #479 313R)**

- (a) Upgrade the existing control circuitry, by the Company.
- (b) Installation of pavement markings on the east and west approaches to the crossing, in compliance with requirements of 92 Ill. Adm. Code 1535.310, by the City.

**13<sup>th</sup>/Reservoir Streets (AAR/DOT #479 312J)**

- (a) Installation of temporary Type-III barricades conforming to the requirements of 92 Ill. Adm. Code 1535.701 and the Manual on Uniform Traffic Control Devices (MUTCD) at the Reservoir Street crossing (both sides of the track on Reservoir), by the City.
- (b) Installation of 6 inch barrier type curb in each quadrant of 13<sup>th</sup> Street in order to delineate the edge of pavement and prevent turning movements onto Reservoir Street, by the City. (See Section 7, Special Provisions, and sketch, Exhibit C.)
- (c) Installation of automatic flashing light signals and gates with a bell, controlled by constant warning time circuitry, and equipped with an event recorder and a remote monitoring system in lieu of the existing

cantilevered automatic flashing light signals, and an upgrade of the existing control circuitry for 13<sup>th</sup> Street, by the Company.

- (d) Remove existing equipment and foundations, and remove a portion of the existing crossing surface (approximately 20 lineal feet on the northeast end and 40 lineal feet on the southwest end), all by the Company.
- (e) Vacate and abolish the Reservoir Street portion of the crossing by installing Permanent barricades conforming to the requirements of 92 Ill. Adm. Code 1535.701 and the MUTCD on both sides of the track at Reservoir, and removing the corresponding excess pavement, by the City. (See Section 7, Special Provisions.)
- (f) Install new sidewalk or delineate same for the 13<sup>th</sup> and Reservoir Street pedestrian traffic, by the City.
- (g) Payment as detailed *infra* from the GCPF to the City for voluntary closure of the 13<sup>th</sup>/Reservoir highway-rail grade crossing, by IDOT.

#### **11<sup>th</sup>/Division Streets (AAR/DOT #479 319G)**

- (a) Upgrade the existing control circuitry, by the Company.
- (b) Installation of a new railroad advance warning sign on the north highway approach and installation of new pavement markings on the north and south approaches to the crossing, in compliance with requirements of 92 Ill. Adm. Code 1535.310, by the City.
- (c) Remove sight restrictions (building) in the Northwest Quadrant of the crossing, by the City.

#### **Enterprise Street (AAR/DOT #479 320B)**

- (a) Installation of new automatic flashing light signals and gates with a bell, controlled by constant warning time circuitry, and equipped with an event recorder and a remote monitoring system in lieu of the existing automatic flashing light signals, by the Company.

#### **Enos Avenue (AAR/DOT #479 322P)**

- (a) Installation of new automatic flashing light signals and gates with a bell, controlled by constant warning time circuitry, and equipped with an event recorder and a remote monitoring system in lieu of the existing automatic flashing light signals, by the Company.
- (b) Installation of new pavement markings on the west highway approach to the crossing, in compliance with requirements of 92 Ill. Adm. Code 1535.310, by the City.

**Miller Street (AAR/DOT #479 323W)**

- (a) Installation of new automatic flashing light signals and gates with a bell, controlled by constant warning time circuitry, and equipped with an event recorder and a remote monitoring system in lieu of the existing automatic flashing light signals, by the Company.
- (b) Installation of a new railroad advance warning sign on the east highway approach and new pavement markings on the east and west highway approaches to the crossing, in compliance with requirements of 92 Ill. Adm. Code 1535.310, by the City.
- (c) Construction of approximately 30 lineal feet of barrier curb in the northwest quadrant of the highway-rail grade crossing along Miller Street, in order to prohibit motorists from exiting the adjacent parking lot and circumventing lowered gates at the crossing, by the City.

**Carpenter Street (AAR/DOT #479 323D)**

- (a) Upgrade the existing control circuitry, by the Company.
- (b) Installation of new pavement markings on the east and west highway approaches to the crossing, in compliance with requirements of 92 Ill. Adm. Code 1535.310, by the City.

**Reynolds Street (AAR/DOT #479 325K)**

- (a) Installation of automatic flashing light signals and gates with a bell, controlled by new constant warning time circuitry, and equipped with an event recorder and a remote monitoring system in lieu of the existing automatic flashing light signals, by the Company.
- (b) Installation of a new railroad advance warning sign on the west highway approach and new pavement markings on the east and west highway approaches to the crossing, in compliance with requirements of 92 Ill. Adm. Code 1535.310, by the City.

**Jefferson Street (AAR/DOT #479 328F)**

- (a) Upgrade existing control circuitry, by the Company.

**Washington Street (AAR/DOT #479 329M)**

- (a) Installation of automatic flashing light signals and gates with a bell, controlled by new constant warning time circuitry, and equipped with an event recorder and a remote monitoring system in lieu of the existing automatic flashing light signals and gates, by the Company.

**Adams Street (AAR/DOT #479 330G)**

- (a) Upgrade the existing control circuitry, by the Company.
- (b) Installation of a new railroad advance warning signs and new

pavement markings on the east and west highway approaches to the crossing, in compliance with requirements of 92 Ill. Adm. Code 1535.310, by the City.

**Monroe Street (AAR/DOT #479 331N)**

- (a) Upgrade the existing control circuitry, by the Company.

**Capitol Avenue (AAR/DOT #479 332V)**

- (a) Upgrade the existing control circuitry, by the Company.
- (b) Installation of a new railroad advance warning sign on the east highway approach to the crossing, in compliance with requirements of 92 Ill. Adm. Code 1535.310, by the City.

**Jackson Street (AAR/DOT #479 334J)**

- (a) Upgrade the existing control circuitry, by the Company.
- (b) Installation of a new railroad advance warning sign on the east highway approach to the crossing, in compliance with requirements of 92 Ill. Adm. Code 1535.310, by the City.

**Section 3** The Company has prepared preliminary estimates of costs associated with this project; they are included as Exhibit B.

The Company shall upon a Commission Order, according to the requirements contained therein, prepare and submit detailed drawings, detailed circuit plans, cost estimates and any required specifications for the proposed improvements for the approval of the Commission. The Company agrees that an appropriate time for the submission of plans should be sixty (60) days from the date of a Commission Order approving this Agreement.

**Section 4** The Company, Village, and City shall upon Order, according to the requirements contained therein, proceed toward the completion of the proposed improvements, accomplishing the work with its own forces or appropriate contracted services and agrees that an appropriate time for the completion of the proposed improvements should be eighteen (18) months from the date of a Commission Order approving this Agreement

**Section 5** The parties agree that an equitable division of cost for the proposed improvements is as follows:

## - RECOMMENDED COST DIVISION -

IMPROVEMENT	EST. COST	GCPF	COMPANY	CITY	VILLAGE	IDOT
<b>Wolfe Street</b>						
Install Automatic Flashing Light Signals and Gates; new CWT Circuitry	\$165,100	(90%) \$148,590 <sup>1</sup>	(10%) Remainder <sup>2</sup>	\$0	\$0	\$0
Install RR Advance Warning Sign.	\$0	\$0	\$0	\$0	100% <sup>3</sup>	\$0
<b>19<sup>th</sup> Street</b>						
Upgrade Existing Control Circuitry	\$61,600	(Material) \$54,430	(Labor) Remainder <sup>2</sup>	\$0		\$0
Install RR Advanced Warning Signs and New Pavement Markings.	N/A	\$0	\$0	100% <sup>4</sup>	\$0	\$0
<b>N. Grand Ave.</b>						
Upgrade the Existing Control Circuitry	\$127,400	(Material) \$100,090	(Labor) Remainder <sup>2</sup>	\$0	\$0	\$0
Install New Pavement Markings	N/A	\$0	\$0	100% <sup>4</sup>	\$0	\$0
<b>13<sup>th</sup> Street/Reservoir</b>						
Vacate Reservoir portion of the crossing; Install Temporary and Permanent Barricades on Reservoir; Install signage; Install delineation curb on 13 <sup>th</sup> St.; Remove pavement, Re-align and delineate pedestrian way.	No Estimate Required	\$0	\$0	100% <sup>7</sup>	\$0	\$0
Remove the existing warning devices and a portion of the existing crossing surface.	No Estimate Required	\$0	100%	\$0	\$0	\$0
Install automatic flashing light signals and gates with bell and CWT.	\$360,900	(90%) \$324,810	(10%) Remainder <sup>2</sup>	\$0	\$0	\$0
Provide GCPF Incentive Payment for Voluntary Closure of the 13 <sup>th</sup> /Reservoir grade crossing	\$70,000	(100%) \$70,000 <sup>5,7</sup>	\$0	\$0 <sup>7</sup>	\$0	\$0 <sup>7</sup>
<b>11<sup>th</sup> Street/Division</b>						
Upgrade Existing Control Circuitry	\$51,900	(Material) \$45,380	(Labor) Remainder <sup>2</sup>	\$0	\$0	\$0
Remove Sight Restrictions in NW Quadrant of Crossing	\$60,000	\$60,000 <sup>6</sup>	\$0	\$0 <sup>6</sup>	\$0	\$0 <sup>6</sup>
Install Railroad Advanced Warning Signs & New Pavement Markings	N/A	\$0	\$0	100% <sup>4</sup>	\$0	\$0
<b>Enterprise Street</b>						
Install Automatic Flashing Light Signals and Gates; New CWT Circuitry	\$164,900	(90%) \$148,410 <sup>1</sup>	(10%) Remainder <sup>2</sup>	\$0	\$0	\$0
<b>Enos Avenue</b>						
Install Automatic Flashing Light Signals and Gates; New CWT Circuitry	\$166,200	(90%) \$149,580 <sup>1</sup>	(10%) Remainder <sup>2</sup>	\$0	\$0	\$0
Install New Pvmnt. Markings	\$0	\$0	\$0	100% <sup>4</sup>	\$0	\$0

<b>Miller Street</b>						
Install Automatic Flashing Light Signals and Gates; New CWT Circuitry	\$166,400	(90%) \$149,760 <sup>1</sup>	(10%) Remainder <sup>2</sup>	\$0	\$0	\$0
Install RR Advanced Warning Signs & New Pavement Markings	\$0	\$0	\$0	100% <sup>4</sup>	\$0	\$0
Re-construct 30' Barrier Curb	\$0	\$0	\$0	100% <sup>4</sup>	\$0	\$0
<b>Carpenter Street</b>						
Upgrade Existing Control Circuitry	\$42,900	(Material) \$37,080 <sup>1</sup>	(Labor) Remainder <sup>2</sup>	\$0	\$0	\$0
Install New Pavement Markings	\$0	\$0	\$0	100% <sup>4</sup>	\$0	\$0
<b>Reynolds Street</b>						
Install Automatic Flashing Light Signals and Gates; New CWT Circuitry	\$180,900	(90%) \$162,810 <sup>1</sup>	(10%) Remainder <sup>2</sup>	\$0	\$0	\$0
Install RR Advanced Warning Signs & New Pavement Markings	\$0	\$0	\$0	100% <sup>4</sup>	\$0	\$0
<b>Jefferson Street</b>						
Upgrade Existing Control Circuitry	\$43,500	(Material) \$37,670 <sup>1</sup>	(Labor) Remainder <sup>2</sup>	\$0	\$0	\$0
Install RR Advance Warning Sign on the West Highway Approach	\$0	\$0	\$0	100% <sup>4</sup>	\$0	\$0
<b>Washington Street</b>						
Upgrade Existing Control Circuitry	\$42,900	(Material) \$37,080 <sup>1</sup>	(Labor) Remainder <sup>2</sup>	\$0	\$0	\$0
Install RR Advance Warning Sign on the West Highway Approach	\$0	\$0	\$0	100% <sup>4</sup>	\$0	\$0
<b>Adams Street</b>						
Upgrade Existing Control Circuitry	\$66,800	(Material) \$50,020 <sup>1</sup>	(Labor) Remainder <sup>2</sup>	\$0	\$0	\$0
Install RR Advance Warning Sign - West Appr.	\$0	\$0	\$0	100% <sup>4</sup>	\$0	\$0
<b>Monroe Street</b>						
Upgrade Existing Control Circuitry	\$42,900	(Material) \$37,080 <sup>1</sup>	(Labor) Remainder <sup>2</sup>	\$0	\$0	\$0
Install RR Advance Warning Sign - West Appr.	\$0	\$0	\$0	100% <sup>4</sup>	\$0	\$0
<b>Capitol Avenue</b>						
Upgrade Existing Control Circuitry	\$53,400	(Material) \$37,670 <sup>1</sup>	(Labor) Remainder <sup>2</sup>	\$0	\$0	\$0
Install RR Advance Warning Sign - West Appr.	\$0	\$0	\$0	100% <sup>4</sup>	\$0	\$0
<b>Jackson Street</b>						
Upgrade Existing Control Circuitry	\$43,200	(Material) \$37,400 <sup>1</sup>	(Labor) Remainder <sup>2</sup>	\$0	\$0	\$0
Install RR Advance Warning Sign - West Appr.	\$0	\$0	\$0	100% <sup>4</sup>	\$0	\$0

<b>TOTALS - All Work</b>	<b>\$1,910,900</b>	<b>\$1,687,860</b>	<b>Remainder</b>	<b>See Above</b>	<b>See Above</b>	<b>\$0</b>
<b>TOTALS - New Automatic Warning Devices Only</b>	<b>\$1,204,400</b>	<b>(90%)<sup>1</sup> \$1,083,960</b>	<b>(10%) Remainder<sup>1</sup></b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>TOTALS - Upgrade Existing Control Circuitry only</b>	<b>\$576,500</b>	<b>\$473,900<sup>1a</sup></b>	<b>Remainder<sup>1a</sup></b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

**Notes:**

<sup>1</sup> Total Grade Crossing Protection Fund (GCPF) assistance not to exceed \$1,083,960 for Automatic Warning Device Installation; any installation costs above the estimated amount of \$1,204,400 will be divided between the GCPF and the Company in the same percentages noted above, upon submittal and review of evidence to support the additional cost and subject to approval by the Commission.

<sup>1a</sup> Total Grade Crossing Protection Fund (GCPF) assistance not to exceed \$473,900 for Control Circuitry Upgrade; any installation costs above the estimated amount of \$576,500 will be divided between the GCPF and the Company in the same percentages noted above, upon submittal and review of evidence to support the additional cost and subject to approval by the Commission.

<sup>2</sup> Company responsible for all future operating and maintenance costs associated with the new automatic warning devices and control circuitry.

<sup>3</sup> Village responsible for all future maintenance costs associated with the railroad advance warning signs and pavement markings for the Wolfe Street crossing.

<sup>4</sup> City responsible for all future maintenance costs associated with the Type III barricades installed at the Reservoir Street portion of the 13<sup>th</sup>/Reservoir crossing, railroad advance warning signs, pavement markings and other road signage for all crossings, except the Wolfe Street crossing.

<sup>5</sup> Total GCPF payment to the City for voluntary closure of Reservoir Street adjacent to the 13<sup>th</sup>/Reservoir crossing shall be \$70,000.

<sup>6</sup> Total GCPF payment to the City for the permanent removal of sight restrictions in the northwest (NW) quadrant of the 11<sup>th</sup> Street crossing shall be \$60,000; City shall pass an ordinance permanently forbidding the construction of any permanent structures or allowing anything to be planted that would cause a visibility problem for vehicles in that location; City shall follow IDOT procedures, or any other manner as provided by law, for the use of Motor Fuel Tax funds; The Department shall issue a payment to the City upon receipt of documentation proving that all permanent removal of the sight restrictions was conducted properly and that the ordinance described above was executed by the City Council and signed by the Mayor.

<sup>7</sup> The City shall be responsible for all costs associated with installing and maintaining the temporary and permanent Type III barricades, the pavement removal, the installation of barrier delineating curb on 13<sup>th</sup>, the sidewalk relocation, the "Road Closed Ahead" and "No Right Turn" signs for 13<sup>th</sup>/Reservoir.

<sup>8</sup> The Department shall issue a payment of \$70,000 from the GCPF to the City within sixty (60) days from the date it receives notice from the City that permanent barricades have been installed at the 13<sup>th</sup>/Reservoir crossing. This money shall be deposited into the City's Motor Fuel Tax account and can only be used for motor fuel tax authorized purposes, anywhere in the City.

**Section 6** The City of Springfield and the Village of Grandview are not required to pay any portion of the cost for the proposed signal improvements, but they are to install advance warning signs, pavement markings, curbing, and other work as stipulated above, at their own expense.

**Section 7** Special Provisions:

**13<sup>th</sup>/Reservoir**

The City of Springfield and the Company are closing the Reservoir Street portion of the 13<sup>th</sup>/Reservoir highway-grade crossing as part of a 1999 agreement executed by the City and the Company.

Coordination between the Company and the City will be required for all work at this crossing, as outlined above in Section 2.



The City shall not vacate Reservoir Street at the 13<sup>th</sup>/Reservoir crossing until an Order authorizing an incentive payment from the GCPF for voluntary closure of the Reservoir highway-rail grade crossing has been executed by the Commission.

The Company shall not charge the City for services required regarding a railroad flagman for any of the work performed on this crossing, but the City shall always coordinate their work with the Company in order that a railroad flagman is present if the Company requires one for any portion of the required work by the City. The City will be required to procure the proper contractor liability insurance as per the Department's latest version of "Standard Specifications for Road and Bridge Construction".

The City shall upon Order, according to the requirements contained therein, install the temporary Type III barricade on both sides of the track across Reservoir Street. (See the attached sketch, Exhibit C.) The City shall install 6 inch high barrier type curb in each quadrant of 13<sup>th</sup> Street in order to delineate the edge of pavement and prevent turning movements onto Reservoir Street. The City should also delineate the pedestrian traffic pattern by a method suitable for the circumstances and conditions, and using generally accepted practices for pedestrian traffic flow; this work may require some removal and replacement of existing sidewalk. The City should remove the existing pavement between the pedestrian alignment for 13<sup>th</sup> Street and the proposed permanent Type III barricades on Reservoir. As part of the Reservoir Street crossing closure, the Company shall remove approximately 20 lineal feet on the northeast end and 40 lineal feet on the southwest end of the existing crossing surface, and all existing unnecessary warning devices and foundations. After all the work is completed at this crossing the City shall install permanent Type III barricades for the closure of Reservoir Street. The Type III barricades for closure of Reservoir Street on the west side should be installed perpendicular to the street at a point approximating where the existing cantilevered flashing light now exist, and should extend up to the sidewalk on the north side and through the sidewalk on the south side. The Type III barricade for closure of Reservoir Street on the east side should be installed perpendicular to the street at a point approximating where the existing cantilevered flashing light now exists, and should extend through the sidewalk on the north side and up to the sidewalk on the south side. The Company and the City shall provide all parties with notice that the work has been complete within five (5) days of completion. Notification may be in writing by regular mail, electronic mail, facsimile, or by phone.

Within sixty (60) days from receipt of notice from the Company and the City that permanent barricades have been installed at the Reservoir portion of the crossing, the Department shall issue a payment of \$70,000 from the GCPF to the City of Springfield for voluntary closure of the Reservoir Street crossing. The Department shall notify all parties when the payment has been completed. Notification may be in writing by regular mail, electronic mail, or facsimile, or by phone. The City may use the GCPF payment for any purpose that meets IDOT's requirements for permissible uses of Motor Fuel Tax Funds, anywhere in the city.

### 11<sup>th</sup>/Division

Total GCPF payment to the City for all expenses associated with permanently improving sight distance in the NW Quadrant of the 11<sup>th</sup> Street crossing shall be \$60,000. It shall be

the City's intention to use the GCPF payment for the purchase and demolition of the land and structure located in the northwest quadrant of the intersection of 11<sup>th</sup> and Division Streets. The City shall utilize IDOT/Motor Fuel Tax land acquisition policies and procedures, or any other manner as provided by law, for the land acquisition and demolition. The City shall pass an ordinance permanently forbidding the construction of any permanent or temporary structures or allowing anything to be planted that would cause a visibility problem for safe vehicular use. This ordinance shall be submitted to the IDOT District 6 Office before payment is made through that same Office. Proper documentation for the acquisition must also be submitted to IDOT District 6 before payment can be made, as described below in this same Section 7.

### **All Crossings**

The Company, City, and Village shall complete and submit the Project Manager Information portion of the Project Status Report sheet, attached as Exhibits E-1, E-2, and E-3, along with this executed Agreement.

The Company, City, and Village shall, at six (6) month intervals from the date of the Commission Order approving this Agreement, submit to the Director of Processing and Information, Transportation Bureau of the Commission, a Project Status Report, attached as Exhibits E1-1, E-2, and E-3, regarding the progress each has made toward completion of the work required by this Agreement. Each Project Status Report shall include the Commission Order's docket number, the Order date, the project completion date as noted in the Order, crossing information (inventory number and railroad milepost), type of improvement, and the name, title, mailing address, phone number, facsimile number, and electronic mailing address of the Company, City, and Village Project Manager.

All bills for roadway work specified in Section 2 authorized for reimbursement from the GCPF for the land acquisition at 11<sup>th</sup> and Division shall be submitted to Christine Reed, Region Engineer, District 6, Attn: Terry Fountain, District Six Engineer of Local Roads and Streets, 126 E. Ash, Springfield, Illinois 62704. All other bills for expenditures authorized for reimbursement from the GCPF shall be submitted to the Fiscal Control Unit, Bureau of Local Roads and Streets, Room 205, Illinois Department of Transportation, 2300 South Dirksen Parkway, Springfield, Illinois 62764. The Department shall send a copy of all invoices to the Director of Processing and Information, Transportation Bureau of the Commission. The final bill for expenditures from each party shall be clearly marked "Final Bill". All bills shall be submitted no later than twelve (12) months from the completion date specified in the Commission Order approving this Agreement. The Department shall not obligate any funds for the cost of proposed improvements described in this Agreement without prior approval by the Commission. The Commission shall, at the end of the 12<sup>th</sup> month from the completion date specified in the Commission Order approving this Agreement or any Supplemental Order(s) issued for this project, notify the Department to de-obligate all residual funds accountable for this project. Notification may be by regular mail, electronic mail, fax, or phone.

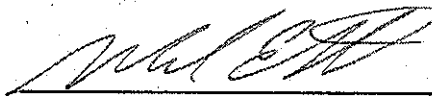
**SECTION 8** Billing: For all work specified in Section 2 of this Agreement, and authorized by an Order of the Commission, the Company shall provide sufficient documentation for all bills. The minimum documentation requirements are:

- a) Labor Charges (including additives) - Copies of employee work hours charged to the railroad account code for the project.
- b) Equipment Rental - Copies of rental agreements for the equipment used, including the rental rate; number of hours the equipment was used and the railroad account code for the project.
- c) Material - An itemized list of all materials purchased and installed at the crossing location. If materials purchased are installed at multiple crossing locations, a notation must be made to identify the crossing location.
- d) Engineering - Copies of employee work hours charged to the railroad account code for the project.
- e) Supervision - Copies of employee work hours charged to the railroad account code for the project.
- f) Incidental Charges - An itemized list of all incidental charges along with a written explanation of those charges.
- g) Service Dates - Invoice shall include the beginning and ending date of the work accomplished for the invoice.
- h) Final or Progressive - Each invoice shall be marked as a Progressive or a Final Invoice.
- i) Reference Numbers - Each invoice shall include the AAR/DOT number, the ICC Order number and the state job number when federal funds are involved.
- j) Locations - Each invoice shall show the location, with the street name and AAR/DOT crossing inventory number.

Section 9 This Agreement shall be binding upon the parties hereto, their successors or assigns. Upon execution of this Agreement by all parties, the Commission shall enter an appropriate Order, within 60 days accepting or rejecting such stipulation according to the provisions contained herein.

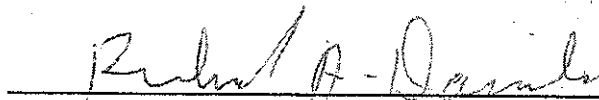
In Witness Whereof, the parties have caused this Agreement to be executed by their duly authorized officers, as of the dates indicated on their respective Execution Pages, attached hereto.

Executed by the Commission this 17<sup>th</sup> day of February 2006.



Michael E. Stead  
Rail Safety Program Administrator

Attest:



Richard A. Daniels  
Rail Safety Specialist

Illinois Commerce Commission Stipulated Agreement No. 1144 concerning improvements at the Wolfe Street, 19<sup>th</sup> Street, North Grand Avenue, 13<sup>th</sup>/Reservoir Street, 11<sup>th</sup>/Division Street, Enterprise Street, Enos Avenue, Miller Street, Carpenter Street, Reynolds Street, Jefferson Street, Washington Street, Adams Street, Monroe Street, Capitol Avenue, and Jackson Street, highway-rail grade crossings of the Company's track located in the Village of Grandview and/or the City of Springfield, Sangamon County, Illinois, designated as crossings: AAR/DOT 479 307M, milepost 412.12-WC, AAR/DOT 479 309B, milepost 412.75-WC, AAR/DOT 479 313R, milepost 413.04-WC, AAR/DOT 479 312J, milepost 413.22-WC, AAR/DOT 479 319G, milepost 413.38-WC, AAR/DOT 479 320B, milepost 413.48-WC, AAR/DOT 479 322P, milepost 413.69-WC, AAR/DOT 479 323W, milepost 413.77-WC, AAR/DOT 479 324D, milepost 413.85-WC, AAR/DOT 479 325K, milepost 413.93-WC, AAR/DOT 479 328F, milepost 414.20-WC, AAR/DOT 479 329M, milepost 414.24-WC, AAR/DOT 479 330GM, milepost 414.32-WC, AAR/DOT 479 331N, milepost 414.39-WC, AAR/DOT 479 332V, milepost 414.47-WC, and AAR/DOT 479 334J, milepost 414.55-WC, respectively.

Executed by the Village this 22<sup>nd</sup> day of February 2006

VILLAGE OF GRANDVIEW

By: David L. Wysocki  
Village Board President  
Grandview, IL.

Attest:

Becky L. Ocho  
Village Clerk  
Village of Grandview

RECEIVED

FEB 27 2006

Illinois Commerce Commission  
RAIL SAFETY SECTION

Illinois Commerce Commission Stipulated Agreement No. 1144 concerning improvements at the Wolfe Street, 19<sup>th</sup> Street, North Grand Avenue, 13<sup>th</sup>/Reservoir Street, 11<sup>th</sup>/Division Street, Enterprise Street, Enos Avenue, Miller Street, Carpenter Street, Reynolds Street, Jefferson Street, Washington Street, Adams Street, Monroe Street, Capitol Avenue, and Jackson Street, highway-rail grade crossings of the Company's track located in the Village of Grandview and/or the City of Springfield, Sangamon County, Illinois, designated as crossings: AAR/DOT 479 307M, milepost 412.12-WC, AAR/DOT 479 309B, milepost 412.75-WC, AAR/DOT 479 313R, milepost 413.04-WC, AAR/DOT 479 312J, milepost 413.22-WC, AAR/DOT 479 319G, milepost 413.38-WC, AAR/DOT 479 320B, milepost 413.48-WC, AAR/DOT 479 322P, milepost 413.69-WC, AAR/DOT 479 323W, milepost 413.77-WC, AAR/DOT 479 324D, milepost 413.85-WC, AAR/DOT 479 325K, milepost 413.93-WC, AAR/DOT 479 328F, milepost 414.20-WC, AAR/DOT 479 329M, milepost 414.24-WC, AAR/DOT 479 330GM, milepost 414.32-WC, AAR/DOT 479 331N, milepost 414.39-WC, AAR/DOT 479 332V, milepost 414.47-WC, and AAR/DOT 479 334J, milepost 414.55-WC, respectively.

Executed by the Department this 15<sup>th</sup> day of March 2006.

STATE OF ILLINOIS  
DEPARTMENT OF TRANSPORTATION

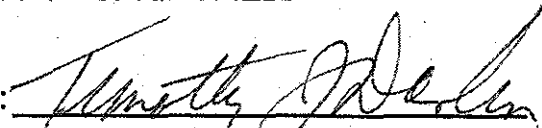
By:   
Milton R. Sees, Director of Highways/Chief Engineer

Illinois Commerce Commission Stipulated Agreement No. 1144 concerning improvements at the Wolfe Street, 19<sup>th</sup> Street, North Grand Avenue, 13<sup>th</sup>/Reservoir Street, 11<sup>th</sup>/Division Street, Enterprise Street, Enos Avenue, Miller Street, Carpenter Street, Reynolds Street, Jefferson Street, Washington Street, Adams Street, Monroe Street, Capitol Avenue, and Jackson Street, highway-rail grade crossings of the Company's track located in the Village of Grandview and/or the City of Springfield, Sangamon County, Illinois, designated as crossings: AAR/DOT 479 307M, milepost 412.12-WC, AAR/DOT 479 309B, milepost 412.75-WC, AAR/DOT 479 313R, milepost 413.04-WC, AAR/DOT 479 312J, milepost 413.22-WC, AAR/DOT 479 319G, milepost 413.38-WC, AAR/DOT 479 320B, milepost 413.48-WC, AAR/DOT 479 322P, milepost 413.69-WC, AAR/DOT 479 323W, milepost 413.77-WC, AAR/DOT 479 324D, milepost 413.85-WC, AAR/DOT 479 325K, milepost 413.93-WC, AAR/DOT 479 328F, milepost 414.20-WC, AAR/DOT 479 329M, milepost 414.24-WC, AAR/DOT 479 330GM, milepost 414.32-WC, AAR/DOT 479 331N, milepost 414.39-WC, AAR/DOT 479 332V, milepost 414.47-WC, and AAR/DOT 479 334J, milepost 414.55-WC, respectively.

Executed by the City this 18 day of April 2006.

CITY OF SPRINGFIELD

By:

  
Timothy J. Dealin

Attest:



238-04-06.

**AN ORDINANCE AUTHORIZING EXECUTION OF ILLINOIS COMMERCE COMMISSION'S STIPULATED AGREEMENT NO. 1144 FOR IMPROVEMENTS TO VARIOUS RAILROAD CROSSINGS LOCATED IN THE CITY OF SPRINGFIELD AND AUTHORIZING A SUPPLEMENTAL APPROPRIATION IN THE AMOUNT OF \$130,000.00 FOR THE OFFICE OF PUBLIC WORKS**

---

**WHEREAS**, the City of Springfield is a home rule unit as defined in Article VII, Section 6(a) of the 1970 Illinois Constitution and has jurisdiction over matters pertaining to its government and affairs; and

**WHEREAS**, a representative of the State of Illinois Commerce Commission's Transportation Division Railroad Section has conducted an investigation of the circumstances surrounding various railroad crossings located within the City of Springfield and the Village of Grandview; and

**WHEREAS**, the physical aspects, including geometrics of intersections, train movements, vehicular traffic volume, sight distances and other pertinent data relating to the crossings have been obtained and are shown on Exhibits A-1 through A-18 of the State of Illinois Commerce Commission's Stipulated Agreement No. 1144; and

**WHEREAS**, the State of Illinois Commerce Commission, the Norfolk Southern Railway Company, the City of Springfield, the Village of Grandview and the State of Illinois, Department of Transportation have agreed to make improvements to the crossings pursuant to the State of Illinois Commerce Commission's Stipulated Agreement No. 1144; and

**WHEREAS**, the City will receive \$130,000.00 pursuant to Stipulated Agreement No. 1144 to be used for the improvements; and

**WHEREAS**, the Office of Public Works is requesting a supplemental appropriation in the amount of \$130,000.00; and

**WHEREAS**, it is in the best interest of the City of Springfield to execute Stipulated Agreement No. 1144; and

**WHEREAS**, a copy of Stipulated Agreement No. 1144 shall be located in the Office of the City Clerk.

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SPRINGFIELD, ILLINOIS:**

**Section 1:** That the City Council hereby authorizes execution of the State of Illinois Commerce Commission's Stipulated Agreement No. 1144 and accepts funds in the amount of \$130,000.00 for improvements to various railroad crossings in the City of Springfield. The Mayor and City Clerk are authorized to execute Stipulated Agreement No. 1144 on behalf of the City of Springfield.

**Section 2:** That the City Council hereby authorizes a supplemental appropriation in the amount of \$130,000.00 for the Office of Public Works.



**Section 3:** That the Office of Budget and Management is hereby directed to effectuate this appropriation as follows:

<b>FROM REVENUE ACCOUNT</b>	<b>AMOUNT</b>
041-110-GAST-STRS-3460	\$130,000.00
<b>TO EXPENDITURE ACCOUNT</b>	<b>AMOUNT</b>
041-110-GAST-STRS-2307	\$130,000.00

**Section 4:** That the City Clerk is hereby directed to publish this ordinance in pamphlet form.

**Section 5:** That this ordinance shall become effective from and after its passage, publication according to law, and recording by the City Clerk.

PASSED: April 18, 2006

SIGNED: April 21, 2006

RECORDED: April 21, 2006

Timothy J. Doolin  
Mayor

ATTEST: [Signature]  
City Clerk

Approved as to legal sufficiency:

Requested by: Alderman Kunz

JJ 3-17-06  
Office of Corporation Counsel / Date

Illinois Commerce Commission Stipulated Agreement No. **1144** concerning improvements at the Wolfe Street, 19<sup>th</sup> Street, North Grand Avenue, 13<sup>th</sup>/Reservoir Street, 11<sup>th</sup>/Division Street, Enterprise Street, Enos Avenue, Miller Street, Carpenter Street, Reynolds Street, Jefferson Street, Washington Street, Adams Street, Monroe Street, Capitol Avenue, and Jackson Street, highway-rail grade crossings of the Company's track located in the Village of Grandview and/or the City of Springfield, Sangamon County, Illinois, designated as crossings: AAR/DOT 479 307M, milepost 412.12-WC, AAR/DOT 479 309B, milepost 412.75-WC, AAR/DOT 479 313R, milepost 413.04-WC, AAR/DOT 479 312J, milepost 413.22-WC, AAR/DOT 479 319G, milepost 413.38-WC, AAR/DOT 479 320B, milepost 413.48-WC, AAR/DOT 479 322P, milepost 413.69-WC, AAR/DOT 479 323W, milepost 413.77-WC, AAR/DOT 479 324D, milepost 413.85-WC, AAR/DOT 479 325K, milepost 413.93-WC, AAR/DOT 479 328F, milepost 414.20-WC, AAR/DOT 479 329M, milepost 414.24-WC, AAR/DOT 479 330GM, milepost 414.32-WC, AAR/DOT 479 331N, milepost 414.39-WC, AAR/DOT 479 332V, milepost 414.47-WC, and AAR/DOT 479 334J, milepost 414.55-WC, respectively.

Executed by the Company this 20th day of April 2006.

NORFOLK SOUTHERN RAILWAY  
COMPANY

By: JR Comstock  
General Manager

Attest:

Mary Ann M. Mady  
Asst. Corp. Secy

STATE OF ILLINOIS  
ILLINOIS COMMERCE COMMISSION  
STIPULATED AGREEMENT SURVEY FORM

RR/Line NS/WC Milepost 412.12 Inventory # 479307M  
City Grandview Street Wolfe County Sangamon  
Jurisdiction city Urban X Rural    Commercial X Residential X  
Street Surface asph. on S, oilmat on N Width 38' FLFL-S., 24' - N. Condition fair  
Angle 70 Tracks Tangent yes Degree of Curve    Superelevation     
Depth of Cut    Height of Fill   

Crossing Surface

Track Centers	Elevation	Track	Type	Width	Condition
		main	T/A	40'	good

Intersecting Roads <100' no <200' 125' to Watch CL

Traffic Control Devices Present: no

ADT 2300 Speed 30mph Statewide yes

School Buses yes Hazardous Materials possible Other   

Rail Traffic: Ft. 26 @ 40 mph Pass.    @    mph Switch   

Simultaneous Movements:    Daylight and Dark: yes

Present Protection: AFLS

Advance Warning Signs Yes, but need to replace Pavement Marking yes  
one on west

Visibility Study

Quad	Clearing Visibility	Obstruction	Stopping Visibility	Obstruction
NE	_____	_____	_____	_____
NW	_____	_____	_____	_____
SE	_____	_____	_____	_____
SW	_____	_____	_____	_____

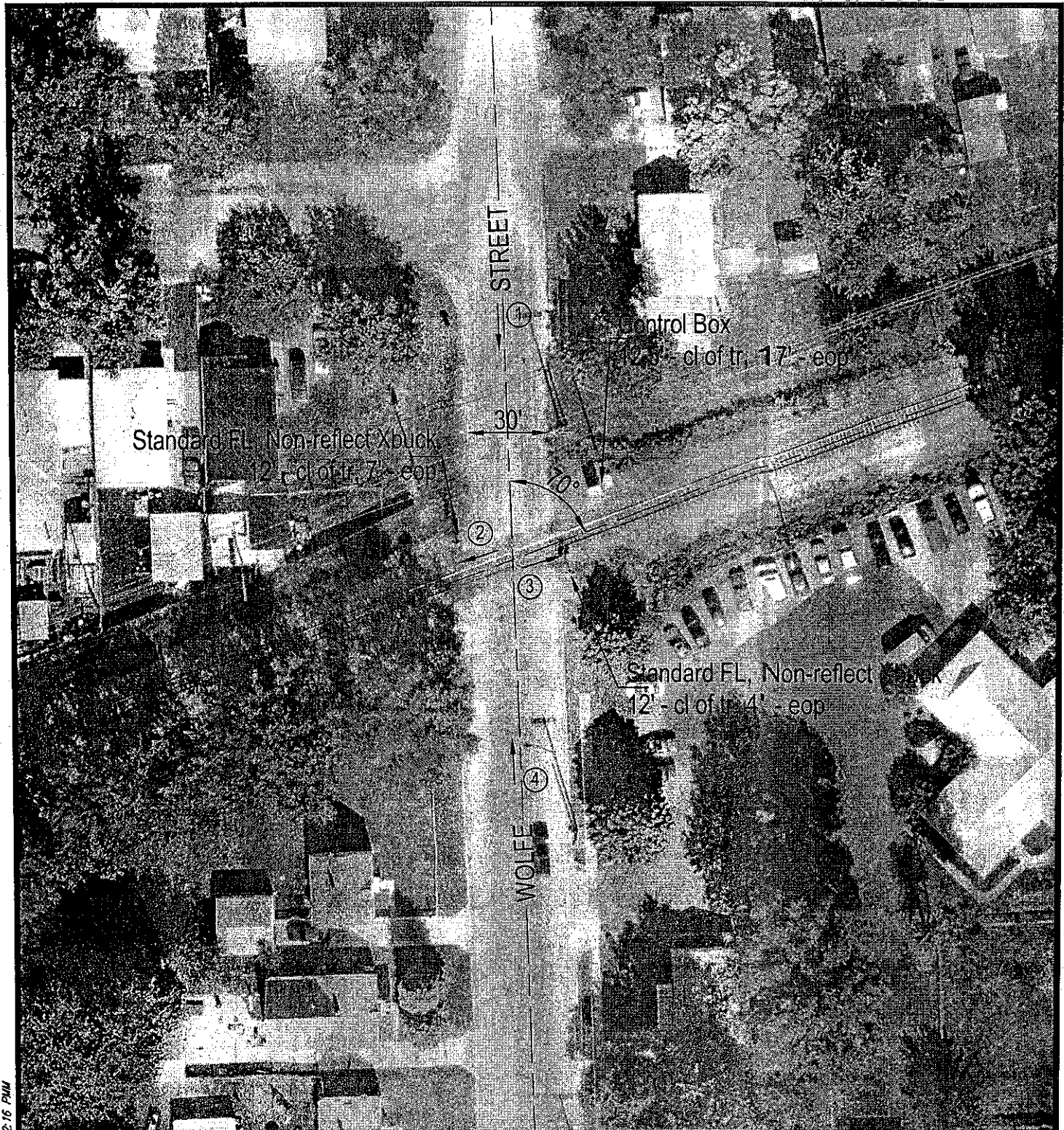
Approach Grades See drawing, page 1

_____	_____ %	_____	_____ %	_____	_____ %
_____	_____ %	_____ meets	_____ %	_____	_____ %

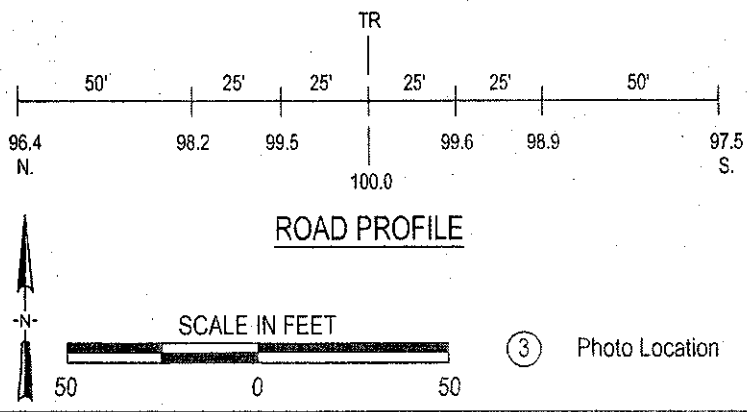
Comments: A visibility study was not done since the train/vehicular product exceeds 3000.

Due to the nature of the surrounding residential area, bringing the highway approaches into strict compliance is not practical and is beyond the scope of this project. The intent of this corridor project is to upgrade the existing automatic safety devices from flashers and lights to flashers, lights, and gates where there are no gates now, and to renew the flashers lights and gates at locations where they already exist, and to upgrade and modernize the existing circuitry throughout.

Will add gates at this location.



P:\CC\SANGAMON\479307M\479307M.DWG 11/26/99 12:16 PM



Crossing #: 479307M  
Location: Sangamon Co., City of Grandview (In)  
Lat/Long: 39°49'16" / 89°37'08"  
Railroad: NS  
Street: Wolfe Street  
Railroad Milepost: 412.12  
Crossing Protection: Train Activated Devices

③ Photo Location